

**BEFORE THE
MEDICAL QUALITY HEARING PANEL
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

In the Matter of the Petition for Interim Suspension Order

Against:

ANDREW NESS, M.D.,

Physician's and Surgeon's Certificate No. A 49649,

Respondent.

Agency Case No. 800-2018-042156

OAH No. 2022020326

INTERIM SUSPENSION ORDER

(Govt. Code, § 11529)

Administrative Law Judge Karen Reichmann, State of California, Office of
Administrative Hearings, heard this matter on March 7, 2022, by videoconference.

Deputy Attorneys General Hamsa M. Murthy and David Carr represented petitioner William Prasifka, Executive Director of the Medical Board of California, Department of Consumer Affairs.

Attorneys Marvin Firestone, M.D., and Michael Firestone represented respondent Andrew Ness, M.D., who was present.

1. The petition and supporting documents, respondent's declaration, hearing brief, and supporting documents, and the arguments made at hearing have been considered. Good cause having been established, the petition is granted. Physician's and Surgeon's Certificate No. A 49649, issued to respondent Andrew Ness, M.D., is suspended. Respondent Andrew Ness, M.D., is immediately restrained and prohibited from:

(a) practicing or attempting to practice as a physician and surgeon in California;

(b) prescribing, dispensing, furnishing, administering, or otherwise distributing any controlled substance or dangerous drug; and

(c) possessing or holding physician's and surgeon's wall and/or wallet certificates, any and all controlled substance or dangerous drug prescription forms, Drug Enforcement Administration (DEA) Drug Order Forms, and any and all DEA permits, which documents shall be surrendered by respondent to the Medical Board of California, or its designated representative, for safekeeping, upon demand, pending the final decision in the first amended accusation filed in this matter.

2. This order shall remain in effect until the effective date of the final decision and order issued by the Medical Board.

DATE: 03/09/2022

Karen Reichmann

KAREN REICHMANN

Administrative Law Judge

Office of Administrative Hearings